

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BI-TECH, INC.	:	: CIVIL ACTION
	:	
v.	:	: NO. 02-CV-3758
	:	
WESTCODE, INCORPORATED	:	

RULE 16 CONFERENCE

AND NOW, this _____ day of July, 2002, **IT IS ORDERED**, pursuant to Federal Rules of Civil Procedure 16 and 26 and Local Rule of Civil Procedure 16.1, that the parties shall meet to discuss the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the case. **IT IS FURTHER ORDERED** that the parties shall develop a proposed discovery plan and shall submit to the Court, on or before August 29, 2002, a "Rule 16 Memorandum" that includes:

1. A proposed schedule for remaining pretrial proceedings setting forth time limits:
 - (a) to join other parties and to amend the pleadings;
 - (b) to file motions;
 - (c) to complete discovery;
 - (d) to file pretrial memoranda if inconsistent with Fed. R. Civ. P. 26;
 - (e) to exchange exhibits;
 - (f) to exchange experts' reports; and
 - (g) to file dispositive motions.
2. A statement on each of the following:
 - (a) the prospects of amicable settlement;
 - (b) whether all parties agree to a referral of this case to U.S. Magistrate Judge Jacob P. Hart for trial;
 - (c) the estimated length of trial;
 - (d) the basis for the Court's jurisdiction; and
 - (e) any other matter that may facilitate the just, speedy, and inexpensive disposition of this case.
3. A certification that all counsel have conferred upon each of the above matters and approve the contents of the Rule 16 Memorandum.

Upon review of the parties' Rule 16 Memorandum, the Court will issue a Scheduling Order pursuant to Fed. R. Civ. P. 16(b) setting forth the dates for a settlement conference, a final pretrial conference, and trial.

BY THE COURT:

BRUCE W. KAUFFMAN, J.